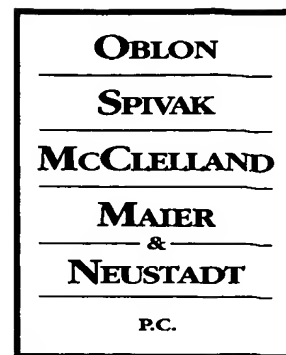




TRW

Docket No.: 244566US6YA



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COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 10/806,400

Applicants: Steven T. FINK

Filing Date: March 23, 2004

For: METHOD AND DEVICE FOR MEASURING
WHETHER A PROCESS KIT PART MEETS A
PRESCRIBED TOLERANCE

Group Art Unit: 2856

Examiner: David A. ROGERS

SIR:

Attached hereto for filing are the following papers:

RESPONSE TO RESTRICTION REQUIREMENT

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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DOCKET NO: 244566US6YA

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
STEVEN T. FINK : EXAMINER: DAVID A. ROGERS
SERIAL NO: 10/806,400 :
FILED: MARCH 23, 2004 : GROUP ART UNIT: 2856
FOR: METHOD AND DEVICE FOR :
MEASURING WHETHER A PROCESS
KIT PART MEETS A PRESCRIBED
TOLERANCE

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction Requirement dated May 26, 2005, Applicants provisionally elect with traverse Group I, Claims 1-13 and 25, directed to a go / no go gauge. Applicants traverse the Restriction Requirement for the following reason.

MPEP § 803 states:

MPEP § 803

... If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

However, the outstanding Restriction Requirement has not established that an undue burden would exist if the Restriction Requirement was not issued and all the claims were examined together. Moreover, the claims of the present invention would appear to be part of an overlapping search area. Accordingly, Applicants respectfully also traverse the

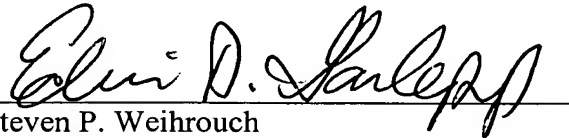
Application No. 10/806,400
Reply to Restriction Requirement dated May 26, 2005

outstanding Restriction requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.

Accordingly, it is respectfully requested that the requirement to elect a single group be withdrawn, and that a full examination on the merits of Claims 1-25 be conducted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink, appearing to read "Edwin D. Garlepp", is written over a horizontal line.

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